## UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

## NOTICE OF OCCURRENCE OF EFFECTIVE DATE OF THE FIRST AMENDED PLAN OF REORGANIZATION UNDER CHAPTER 11 OF THE BANKRUPTCY CODE

PLEASE TAKE NOTICE that on January 14, 2010, the United States Bankruptcy Court for the Southern District of New York entered an order (the "Confirmation Order") confirming the First Amended Plan of Reorganization Under Chapter 11 of the Bankruptcy Code, dated November 17, 2009 (as subsequently amended, supplemented or modified, the "Plan"), in the chapter 11 case of the above-captioned debtor and debtor in possession. Unless otherwise defined in this Notice, capitalized terms and phrases used herein have the meanings given to them in the Plan and the Confirmation Order, as applicable. Copies of the Confirmation Order and Plan are available at <a href="http://chapter11.epiqsystems.com/Crabtree">http://chapter11.epiqsystems.com/Crabtree</a>.

PLEASE TAKE FURTHER NOTICE that the Effective Date of the Plan occurred on January 27, 2010.

PLEASE TAKE FURTHER NOTICE that the Plan and the provisions thereof are binding on the Debtor, the Reorganized Debtor, any holder of a Claim against, and Interest in, the Debtor, and such holder's respective successors and assigns, whether or not the Claim or Equity Interest of such holder is impaired under the Plan and whether or not such holder or entity voted to accept the Plan.

Dated: January 27, 2010 New York, New York

## COOLEY GODWARD KRONISH LLP

By: /s/ Lawrence C. Gottlieb
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